

ISABELLA COUNTY  
PLANNING COMMISSION

March 13, 2014

A Regular Meeting of the Isabella County Planning Commission was held on March 13, 2014 in Room 320 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Gordon Gilchrist, Jerry Neyer, Heather Turner, Cheryl Jindeel, Evelyn Kent, Jeremy Murphy, Kelly Bean, Phillip Vogel

MEMBERS ABSENT: Jim Horton

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director  
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Neyer at 7:00 pm.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

Mr. Neyer requested that the Board review and accept the amended agenda.

A motion was made by Mr. Gilchrist supported by Mr. Bean to approve the agenda as amended.

Yes: Gordon Gilchrist, Jerry Neyer, Heather Turner, Cheryl Jindeel, Evelyn Kent, Jeremy Murphy, Kelly Bean, Phillip Vogel

No: None

Motion carried.

PREVIOUS MINUTES

Minutes of the February 13, 2014 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Ms. Turner supported by Mr. Murphy to approve the minutes as presented.

Yes: Gordon Gilchrist, Jerry Neyer, Heather Turner, Cheryl Jindeel, Evelyn Kent, Jeremy Murphy, Kelly Bean, Phillip Vogel

No: None.

Motion carried.

## **LIAISON REPORTS**

Zoning Board of Appeals – Mr. Gilchrist reported that the Zoning Board will be taking action on the Auto Auction.

Parks & Recreation – Ms. Jindeel reported that the last meeting covered election of officers, financial updates, new directional signs for the parks, summer programs, approval of the dog park, and Lake Isabella taking over their own water system in exchange for Gilmore Park.

Board of Commissioners – none

## **TOWNSHIP CONCERNS**

Jackie Curtis, Denver Township, had nothing to report.

Tom Gibbs, Gilmore Township, had nothing to report.

Bob Neeland, Isabella Township, had nothing to report.

## **PUBLIC COMMENT**

None heard.

### **SUP #14-02 Clare Auto Auction Inc. Jack Sampson**

Mr. Nieporte stated Jack Sampson, President of Clare Auto Auction Inc., is proposing to establish an Auction Facility (Auto Auction) in accordance with Article 12 of the Isabella County Zoning Ordinance. The property is located in the NW ¼ of the NW ¼ of Section 23 Vernon Township also known as 8920 North Mission Rd. Parcel # 15-023-10-003-02 and 15-023-10-003-03. The site of the proposed Auction Facility is the previous site of Quality Truck and Tire.

Mr. Nieporte further stated that after staff's review of the project it appears to meet all ordinance requirements for such use with the exception of Section 12.05 E(5), which states, "The display of auction vehicles including vehicle transportation loading and unloading zones shall not extend into any required yard or occupy any required parking or maneuvering areas for onsite vehicle movement." Therefore the application is proposing variances to extend into the south side required yard and front required yards. At this time Staff would recommend that if the planning commission considers approval using ordinance standards that the approval is contingent on obtaining the necessary variances as submitted in the site plan to comply with the ordinance.

Board discussion took place.

Public hearing opened at 7:20 p.m.

Public Comment

Ms Brooks Taylor representing her mother Dorothy Brooks adjacent property to the south. They have four concerns; the hard surface parking lot, the south side property line, parking along Mission and Stevenson Lake Rd., and if fencing would be installed on Mission Rd.

Public hearing closed 7:25 p.m.

Mr. Nieporte explained that the ordinance requires any commercial property to have a hard dustless surface for parking and maneuvering areas. Mr. Nieporte asked Mr. Sampson if he had a survey of the property. Mr. Sampson stated he doesn't but would be willing to have one done to confirm property lines. All parking is off street. Mr. Nieporte recommended that the board stipulate in their motion that NO on street parking be allowed. At this point there is no fence proposed along Mission Rd. our office worked with Mr. Sampson to come up with some screening that would still fit the rural area. The double stager spruce screen was proposed.

The Board reviewed Section 12.03 General Requirements for Special Land Uses and Section 11.06 Standards for Site Plan Review.

A motion was made by Ms. Turner to approve Special Use Permit #14-02 as submitted supported by Mr. Vogel contingent upon the following:

1. There shall be no on street parking allowed on either Mission or Stevenson Lake Roads.
2. The applicant receiving the proposed variances to park display vehicles within the required yards.

Yes: Gordon Gilchrist, Jerry Neyer, Heather Turner, Cheryl Jindeel, Evelyn Kent, Jeremy Murphy

No: None.

Motion carried

### **Special Use Permit #14-01 Eisenberger Builders – Kevin Partotnik**

Mr. Nieporte explained that Kevin Partotnik on behalf of Eisenberger Builders is proposing to establish an Excavation Transportation Service Business (Contractor Storage and Office) in accordance with Article 12 of the Isabella County Zoning Ordinance. The property is located in Section 28 Nottawa Township also known as 3519 West Beal City Rd. Parcel # 11-028-10-001-02.

Mr. Nieporte further stated that after Staff's review of the application and site plan proposed, it appears that all ordinance requirements have been met. The Commission shall make its decision based on Section 12.03 General Requirements for Special Land Use and Section 11.06 Standards for review of a Site Plan.

Mr. Nieporte indicated that it is the Boards preference with regard to screening of outside storage.

Board Discussion took place.

Public Hearing opened 7:38 p.m.

No Public Comment Heard.

Public Hearing closed 7:39 p.m.

The Board reviewed Section 12.03 General Requirements for Special Land Uses and Section 11.06 Standards for Site Plan Review.

A motion was made by Mr. Bean to approve Special Use Permit #14-01 as submitted supported by Mr. Murphy.

Yes: Gordon Gilchrist, Jerry Neyer, Heather Turner, Cheryl Jindeel, Evelyn Kent, Jeremy Murphy

No: None.

Motion carried

### **Zoning Amendment #14-1 Conditional Rezoning – Monroe Miller**

Mr. Nieporte explained that Monroe Miller is proposing to conditionally rezone a piece of property in section 6 of Rolland Township from Agricultural Buffer (AG-3) to General Agriculture (AG-2) with conditions. Mr. Miller is attempting to establish a Milling and Processing Facility (Saw Mill) on his property located at 11091 West Millbrook Rd. In an effort to rezone the property Mr. Miller has offered to not include certain uses that are customarily allowed in the General Agricultural (AG-2) District. A written offer of conditions by Mr. Miller was presented to our office and is in your packet.

Mr. Nieporte further stated that Mr. Miller has offered all uses that are not allowed in the current AG-3 District which are allowed either by Special Land Use or out right in the proposed AG-2 District be prohibited except for four of them as listed in the Table of Permitted Uses in the Agricultural Districts. The first use is the Milling and Processing of Farm Products which allows for a Saw Mill to operate. The second is a Forest Preserve which will have no impact. The third is the Storage and Sale of seed, feed, fertilizer and other products essential to agricultural production. The fourth is Farm Implement Sales and Service. The first, third and fourth use listed above would require Site Plan Approval by the Planning Commission to ensure all conditions of the Ordinance are met.

Mr. Nieporte explained that Section 15.09 of the County Zoning Ordinance addresses Conditional Rezoning.

Mr. Nieporte reviewed several sections of the Ordinance with the Planning Commission.

A Conditional Rezoning is to be reviewed in the same manner as a regular rezoning request without conditions, except as modified by the requirements of Section 15.09.

Section 15.09 (C) Planning Commission Review of the Ordinance states “The Planning Commission, after public hearing may recommend approval, approval with recommended changes or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and

thereafter offered by the owner.” The process of review and action by the Planning Commission is a recommendation to the Isabella County Board of Commissioners for legislative action (final approval).

Section 15.08 (C) Amendment Guidelines shall be used by the Planning Commission in consideration of the proposed amendment to the Zoning Map.

Section 15.08 (C) (2.), Map Amendments reads as follows:

- a) Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Isabella County Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, the consistency with recent development trends in the area.
- b) Whether the proposed district and the uses allowed are compatible with the site’s physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.
- c) Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks and road lighting.
- d) Other factors deemed appropriate by the Planning Commission.

Mr. Nieporte stated that after a review of the proposal including the conditions offered by Mr. Miller in writing staff would suggest recommending approval to the Board of Commissioners based on the fact that the proposal is in line with the existing Master Plan which calls for the entire area to be Agriculture and based on the fact that nearly no development in this area has taken place since the Master Plan was adopted. The proposed and potential uses are compatible with the surrounding area including the uses which would be allowed that have been offered as a condition to not be allowed or prohibited on this property if rezoned.

Mr. Nieporte further stated that this area including most of the area in Rolland Township outside of the unincorporated Village of Blanchard is considered rural or agricultural in nature.

Board Discussion took place.

Public Hearing opened 7:45 p.m.

No Public Comment Heard.

Public Hearing closed 7:46 p.m.

The Commission reviewed Section 15.08 C.2. and further discussion occurred.

Mr. Nieporte pointed out that the current Master land Use Plan defines the Rural Agriculture Residential Areas to continue agricultural activities while balancing low density residential growth.

A motion was made by Mr. Gilchrist supported by Mr. Murphy to recommend approval of Conditional Rezoning Amendment (ZA #14-01) as submitted as it is in line with Isabella County Master Plan and it is an agricultural area; and to forward this request to the County Board of Commissioners for final action.

Yes: Gordon Gilchrist, Jerry Neyer, Heather Turner, Cheryl Jindeel, Evelyn Kent, Jeremy Murphy

No: None.

Motion carried

### **Review Union Township Rezoning**

Mr. Nieporte circulated a request to review REZ 1731 by Union Township.

Board review took place.

Mr. Nieporte stated that staff will forward to Union Township a letter stating that the Commission has reviewed the request and has no concerns.

### **Review Coe Township Rezoning**

Mr. Nieporte circulated a request to review a Coe Township Zoning Amendment (ZAC#14-01).

Board review took place.

Mr. Nieporte stated that staff will forward to Coe Township a letter stating that the Commission has reviewed the request and has no concerns.

### **PUBLIC COMMENT**

None heard.

### **STAFF COMMENTS**

Mr. Nieporte stated that our office has received the Shepherd of Village Parks and Recreation 5 yr plan and that it is on file in our office if anyone would like to review the document.

Mr. Nieporte also stated that his office has received the master plan from the Village of Lake Isabella it also is on file in our office for review.

Mr. Nieporte announced that the offices new hire will be starting on March 24<sup>th</sup>. Ray Johnson will be the new Planner/Zoning Administrator.

### **PLANNING COMMISSIONER'S COMMENTS**

Ms. Turner inquired if the Village of Shepherd Parks and Recreation master plan was available online.

Mr. Nieporte stated he did not get a digital copy however it may be on the Villages website.

Mr. Bean inquired about the Auto Auction being the only use requiring the display of merchandise to not be allowed in the required yards.

Mr. Nieporte stated we will be reviewing this in the near future.

**ADJOURNMENT**

The meeting was adjourned by the call of the Chairperson at 7:59 p.m.



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Cheryl J. Jendeel, Secretary  
Kim Kenndy, Recording Secretary